

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JUAN DE DIOS ALCARAZ-MARDUENO,

Defendant.

CASE NO. CR20-0217-JCC-14

ORDER

This matter comes before the Court on Defendant Juan De Dios Alcaraz-Mardueno's motion to continue trial (Dkt. No. 561). Having thoroughly considered the parties' briefing and the relevant record, the Court hereby GRANTS the motion for the reasons explained herein.

Trial is currently scheduled for April 24, 2023. (Dkt. No. 445) Defendant Alcaraz-Mardueno seeks a continuance, citing the need for newly appointed counsel to review discovery, conduct any appropriate investigation, and prepare for trial. (Dkt. No. 561 at 2.) The Government joins the request, citing the complexity of the case. (Dkt. No. 575.) The facts that support continuing the trial and excluding the resulting delay are set forth in the parties' briefing (Dkt. Nos. 561, 575), and include the following: (a) the number of defendants originally charged; (b) the nature of the prosecution, which involved a lengthy investigation; (c) the volume of discovery; and (d) the need for current defense counsel to have an appropriate period to review

1 discovery, consult with his client, prepare a defense, and explore possible resolutions to the case
2 short of trial.

3 Having thoroughly considered the parties' briefing and the relevant record, the Court
4 FINDS that the ends of justice served by granting a continuance outweigh the best of interest of
5 the public and the Defendants in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A).

6 The reasons for this finding are:

- 7 1. Failure to grant the continuance would make the continuation of this case impossible
8 or result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(B)(i);
- 9 2. Due to the factors stated above, the case is sufficiently unusual and complex such that
10 it is unreasonable to expect adequate preparation for pretrial proceedings or for the
11 trial itself based on the current trial date. 18 U.S.C. § 3161(h)(7)(B)(ii).

12 The Court FINDS the time between the current April 24, 2023 trial date and November 6,
13 2023 is a reasonable period of delay under 18 U.S.C. § 3161(h)(6) that is excludable.

14 It is hereby ORDERED:

- 15 1. Defendant Alcaraz-Mardueno's motion for a continuance (Dkt. No. 561) is
16 GRANTED.
- 17 2. The current trial date is CONTINUED to November 6, 2023. Pretrial motions will be
18 due September 18, 2023. Parties should consult the Court's Chambers Procedures
19 posted on its website for detailed instruction regarding pretrial submissions and trial
20 procedure.
- 21 3. The time from the date of this order up to and including November 6, 2023 is an
22 excludable period under 18 U.S.C. §§ 3161(h)(6) and (7)(A).

23 //

24 //

25 //

26 //

1 DATED this 8th day of March 2023.

2
3
4 

5 John C. Coughenour
6 UNITED STATES DISTRICT JUDGE
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26